

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Darin Poole

Write the full name of each plaintiff.

No.

17 CV 9842

(To be filled out by Clerk's Office)

-against-

NYC, NY PD

COMPLAINT

(Prisoner)

Do you want a jury trial?

☐ Yes ☒ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

RECEIVED
SDNY PPD 9/17/18
2017 DEC 14 AM 11:54
S.D. OF N.Y.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☒ Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

DARIN

First Name

B

Middle Initial

Poole

Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Current Place of Detention

Home Institution Address 48 West Chilton Ave

Roosevelt N.Y.

11575

County, City

State

Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☐ Convicted and sentenced prisoner

☐ Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

NYC

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 2:

NYPD

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 3:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

Defendant 4:

First Name	Last Name	Shield #
Current Job Title (or other identifying information)		
Current Work Address		
County, City	State	Zip Code

V. STATEMENT OF CLAIM

Place(s) of occurrence: 413 Miller Ave Brooklyn NY 11207

Date(s) of occurrence: NOV, 4, 2016

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

ON the date in question I myself and other family members were at the family's residence when all of a sudden all the doors in the front porch area came down as a result of the NYPD once the police entered I was sprayed in my eyes by the police with a fire extinguisher I was already on the ground and the police kept on spraying and the rest of the house once the smoke cleared there was a captain present who held a search warrant with 3 names my name DARIN POOLE NOR my uncle COREY BELL who was also present at the time. ~~XXXXXXXXXX~~ The 3 defendants whose names were on the warrant were also present we all were searched with negative results and given dates to appear on 12/14/16 myself and Corey bell went to court and our names went on the docket.

We were told by the clerk that the DA refuse to prosecute and that we should receive a letter in 30-90 days or we should call a number that was left for us at that time. Please be advised that the NYPD has targeted our home for the last 5 years and each time they destroyed personal property and found nothing

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received. NONE

(Attachment)

And each time we all were give Dats therefore being that this is clearly an ~~act~~ act of Discrimination and a violation of all of our Constitutional and civil rights. Please pay attention to the Relief

VI. RELIEF

State briefly what money damages or other relief you want the court to order.

For the Destruction of private and personal property and the said acts of Discrimination I am seeking money damages for the destruction of personal and private property and the medical damage done to my eyes in the amount of 50 million dollars

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

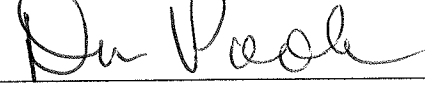
By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>12/14/16</u>		<u></u>
Dated		Plaintiff's Signature
<u>Darin</u>	<u>B</u>	<u>Poole</u>
First Name	Middle Initial	Last Name

<u>Home</u>	<u>Prison Address</u>	
	<u>48 West Clinton Ave</u>	
<u>Roosevelt</u>	<u>N.Y.</u>	<u>11575</u>
County, City	State	Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: _____